799/6002

ARA
79-0765

DEPARTMENT OF STATE

ACTION MEMORANDUM

S/S

January 25, 1979

iginal to FADRC:

PIES TO:

DAWP

1944

Duplicate of 1942

TO: The Secretary

S-S
B
A

THROUGH: C - Mr. Nimetz
M - Mr. Read

FROM: L - Lee Marks

SUBJECT: Update on Disposition of Jonestown Remains

MO
SLG
:WEB

Issue for Decision

That you approve the decision to take no further action to dispose of the Jonestown remains at USG expense pending the California court ruling on the motion by the Emergency Relief Committee to assume re onsibility for the remains.

Essential Factors

You have asked for a memorandum on the status of the remains of the Jonestown victims. Of the 913 bodies originally at Dover Air Force Base, 639 have been identified. The next of kin have been notified and 314 of these have been claimed. The next of kin of approximately 69 victims have indicated that they cannot or will not claim the bodies. Two hundred seventy-four bodies remain unidentified; 210 of these are bodies of children (which are particularly hard to identify).

On January 23, a California Superior Court judge held a hearing on the motion to dissolve the Peoples Temple Corporation. The judge agreed to appoint a receiver, and to give creditors notice and 4 months opportunity to file their claims against the Corporation. All suits against the

DEPARTMENT OF STATE A/CDC/MR
REVIEWED BY J Arnett DATE 2/1/82
EDS☐or XDS☐EXT. DATE
TO AUTH. REASON(S)
ENDORSD EXISTING MARKINGS ☐
DECLASSIFIED☐ RELEASABLE☒
RELEASE DENIED☐
FA or FOI EXEMPTIONS -

CV

Peoples Temple (PT) are to be stayed pending the outcome of these dissolution proceedings. (However, DOJ believes that the suit it filed for reimbursement in the US District Court in San Francisco on January 22 will continue.) The Superior Court judge also ruled that the Emergency Relief Committee* be given 30 days to submit a plan for transportation and interment of the Jonestown remains. Presumably, if the court accepts the Committee's plan it would order disbursement of the requisite amount of PT funds. It is unclear at this time whether the court would order immediate disbursement or would wait four months until all creditors have had an opportunity to file their claims.

The Interagency Group on Guyana had previously agreed on procedures for disposing of the Jonestown remains; including cremation of bodies which were identified but unclaimed by next of kin, and burial of unidentified bodies. However, in light of the California court's decision we believe the USG should not take any further action with regard to the remains until the court has issued its ruling on the Emergency Relief Committee's plan. Yet, we will be in a position to execute the Interagency Group's decision should the court deny the Emergency Relief Committee's plan.

There may be a certain amount of delay involved in this approach (the bodies could remain at Dover Air Force Base for four more months) and Delaware officials as well as DOD will probably be upset. However, we believe the advantages outweigh this drawback. Unless the Emergency Relief Committee is authorized to handle this problem, the USG will probably have to assume responsibility for disposing

*The Emergency Relief Committee is composed of the San Francisco chapter of the Council of Churches, the Rabbis' Association of San Francisco, and the Bishop of the Catholic Archdiocese of San Francisco. The Committee was apparently formed to assist in the disposal of the Jonestown bodies.

of the unclaimed and unidentified bodies. On the assumption that most of the identified bodies will be claimed, the USG would have to dispose of approximately 300 bodies. However, there is a possibility that the number could go as high as 500-600. The average cost of disposal of the remains by either cremation or interment is approximately $150-200/body. Therefore, USG disposal of these remains could involve a substantial additional expense.

Guyana and Bob Lipshutz

Bob Lipshutz had suggested that the Government should fly the 600-odd bodies now at Dover Air Force Base to California because many of the next of kin are indigent and cannot afford to transport the bodies out there. He has asked that I raise this issue with you.

I think there are several very good reasons why we should not fly the bodies to California at USG expense, including the fact that we have already stretched our authority for our Jonestown related activities, and AID and its Congressional supporters will probably scream bloody murder if we use AID funds for such a flight. Moreover, US public opinion would oppose incurring a substantial additional USG expense particularly when there is a good possibility that the California court will authorize use of PT funds for this same purpose.

Recommendation:

That you authorize me to inform DOD, Delaware officials, and Bob Lipshutz that we will not proceed with disposition of the Jonestown remains at Government expense until the California Superior Court issues its decision on the Emergency Relief Committee's plan.

✓ JAN 31 1979

Approved _____ Disapproved _____

Drafted:
L/t:LBaumann:kg
1/24/79 ext 22716

Concurrences:
CA - Ms. Watson
ARA - Mr. Bushnell